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Crl.O.P.No.10033 of 2023

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S.SOUNTHAR, J.

The petitioner/A4, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections **498(A), 494 and 420 of I.P.C, in Crime No.16 of 2022**, seeks anticipatory bail.

2.The case of the prosecution is that A1 married the defacto complainant on 02.09.2019 suppressing the fact that he has illegal intimacy with A4. Thereafter, A1 created forged documents that he has married A4 and registered the marriage with A4 and when the same was questioned by the defacto complainant, A1 harassed her and demanded dowry from her. A2 and A3 who are in-laws of the defacto complainant also assisted A1 to play fraud. Hence, the complaint.



Crl.O.P.No.10033 of 2023

WEB COPY

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and she has been falsely implicated in this case. He further submit that A1, A2 and A3 were already granted anticipatory bail. Hence, he prayed for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police submitted that the in-laws of the defacto complainant suppressed the fact that the A1 has illegal relationship with A4 and performed the marriage and thereby cheated the defacto complainant. He further submits that the A2 and A3 harassed the defacto complainant and demanded dowry from her. However, he opposed for grant of anticipatory bail to the petitioner.

5. Heard both sides and perused the materials available on record.



Crl.O.P.No.10033 of 2023

WEB COPY

6.It is seen that accused Nos. 2 and 3 were granted Anticipatory Bail by this Court on 04.01.2023 in Crl.O.P.No.31440 of 2022. However, the Anticipatory Bail, at request of the petitioner was negatived on the ground that the petitioner and the 1st accused are main culprit in the case. Subsequently, the 1st accused moved Anticipatory Bail before the Sessions Court, Krishnagiri in Crl.M.P.No.196 of 2023 and got Anticipatory Bail.

7.In view of the fact that the main accused A1 was already granted on anticipatory bail, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

8. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the **learned Additional Mahila Court, Krishnagiri** on condition that the petitioner shall execute a bond for a sum of



Crl.O.P.No.10033 of 2023

Rs.10,000/- (Rupees Ten Thousand only) with **two sureties**, each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate shall obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall report before the respondent police once in a week at 10.30 a.m. for a period of four weeks and thereafter as and when required for interrogation.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioner shall not abscond either during investigation or trial.

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].



Crl.O.P.No.10033 of 2023

WEB COPY

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

04.05.2023

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WEB COPY



Crl.O.P.No.10033 of 2023

S.SOUNTHAR, J.,

kkn/smv

Crl.O.P.No.10033 of 2023

04.05.2023